

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

**APRIL L WOODS**  
Claimant

**APPEAL NO. 10A-UI-02202-NT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**NUMARK BUILDING CORP**  
Employer

**Original Claim: 01/10/10  
Claimant: Appellant (1)**

Section 96.5-1 – Voluntary Quit

**STATEMENT OF THE CASE:**

April Woods filed a timely appeal from a representative's decision dated February 10, 2010, reference 01, which denied benefits based upon her separation from NuMark Building Corporation. After due notice was issued, a telephone hearing was scheduled for and held on March 29, 2010. The claimant participated personally. The employer participated by Isaac Nunnikhoven and Ron Nunnikhoven.

**ISSUE:**

At issue is whether the claimant left employment with good cause attributable to the employer.

**FINDINGS OF FACT:**

Having considered the evidence in the record, the administrative law judge finds: April Woods was employed as a manager for NuMark Building Corporation from November 2008 until January 15, 2010, when she left employment. Ms. Woods had responsibility for accounting sales and marketing and was employed on a full-time basis. The claimant was paid by the hour. Her immediate supervisor was Ron Nunnikhoven.

Ms. Woods left her employment after being called to a meeting on January 15, 2010, to review the claimant's job performance and to implement new areas of responsibility within the company. The employer's purpose was to inquire into and discuss financial issues and to determine new areas of job responsibilities within the company. During the meeting, Ron Nunnikhoven stated that he did not believe that accounting responsibilities were one of Ms. Woods' strong points. The employer's attention was to focus Ms. Woods' work efforts on to different areas of responsibility in the office. Ms. Woods interpreted her employer's remarks to mean that full-time employment would not be available to her. Ms. Woods left the meeting, gathered her personal possessions, and left the premises. When the claimant did not return within three days and had provided no further notification to the employer, the claimant was sent a letter indicating that her employment with the company had ended.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the claimant left employment without good cause attributable to the employer.

Iowa Code section 96.5-1 provides:

An individual shall be disqualified for benefits:

1. Voluntary quitting. If the individual has left work voluntarily without good cause attributable to the individual's employer, if so found by the department.

The evidence in the record establishes that the employer was concerned about accounting issues and wished to discuss the matter with the claimant in a meeting scheduled for January 15, 2010. The employer's attention was to refocus Ms. Woods' work activities to different areas within the company. Because the relations between the parties had been strained, Ms. Woods was apprehensive and interpreted her employer's statement that the claimant's accounting abilities were not her strong point as indicating that her employment with the company was ending and thus left her employment with the company. The evidence in the record does not establish that the claimant had been discharged.

In determining whether Ms. Woods' interpretation of the circumstances and statements of the meeting of January 15, 2010 discharged her, an objective rather than subjective viewpoint must be used. It is not what a claimant subjectively believes occurred but what a reasonable person would conclude based upon the statements and circumstances. When viewed objectively, the employer's statements and the circumstances would not lead an employee to conclude that they were being discharged, but that the employer wished to implement changes in the office.

While Ms. Woods' reasons for leaving that day may have been good from her personal viewpoint, they were not good-cause reasons attributable to the employer. The employer's inquiries and proposed actions were both reasonable and work-related. Benefits are withheld.

**DECISION:**

The representative's decision dated February 10, 2010, reference 01, is affirmed. The claimant left employment without good cause attributable to the employer. Unemployment insurance benefits are withheld until the claimant has worked in and been paid wages for insured work equal to ten times her weekly benefit amount, provided she meets all other eligibility requirements of Iowa law.

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Terence P. Nice  
Administrative Law Judge

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Decision Dated and Mailed

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